



8-22-05

BRCE
1764
Zell

PTO/SB/30 (04-06)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Request for Continued Examination (RCE) Transmittal Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	09/560,469
	Filing Date	April 28, 2000
	First Named Inventor	Joseph A. FERNANDO et al.
	Art Unit	1764
	Examiner Name	Hien Tran
	Attorney Docket Number	UNF-9058 A

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

ii. ☐ Other _____

b. ☒ Enclosed

i. ☒ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/Declaration(s)

iv. ☐ Other _____

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(l) required)

b. ☐ Other _____

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-3275. I have enclosed a duplicate copy of this sheet.

i. ☒ RCE fee required under 37 CFR 1.17(e)

08/23/2005 SHASSEN1 00000028 09560469

ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

01 FC:1801

790.00 OP

iii. ☐ Other _____

b. ☒ Check in the amount of \$ 790.00 is enclosed.

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature	<i>Joseph G. Curatolo</i>	Date	8-19-2005
Name (Print/Type)	Joseph G. Curatolo, Esq.	Registration No.	28,837

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited on the date shown below with the United States Postal Service as Express Mail - Label No. EV698630075US - "Express Mail Post Office to Addressee" in an envelope with sufficient postage addressed to: **MAIL STOP RCE, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450**

Signature	<i>Linda K. Foster</i>	Date	8-19-2005
Name (Print/Type)	Linda K. Foster		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

EV698630075US



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Joseph A. FERNANDO et al. Docket No.: UNF-9058 A
Serial No: 09/560,469 Examiner: Hien Tran
Filed: April 28, 2000 Group Art Unit: 1764
Title: Support Element For Fragile Structures Such As Catalytic Converters

MAIL STOP RCE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Certificate of Express Mailing

I hereby certify that this correspondence is being deposited on the date shown below with the United States Postal Service as Express Mail - Label No. EV698630075US - "Express Mail Post Office to Addressee" in an envelope with sufficient postage addressed to: MAIL STOP RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Linda K. Foster
(type or print name of person signing paper)

Linda K. Foster
(signature of person mailing paper)

8-19-2005
(date)

TRANSMITTAL SHEET

Enclosed is:

Transmittal Sheet with Certificate of Mailing and Authorization to Charge Deposit Account
(1 page - in duplicate)
Request for Continued Examination (37 CFR §1.114) (1 page - in duplicate)
Submission Pursuant to 37 CFR §1.114 (15 pages)
Check in the Amount of \$790.00
Return Receipt Postcard

Authorization to Charge Deposit Account

In the event an additional fee is applicable to the filing of this document and the required fee is not enclosed, or the fee submitted is insufficient, the Director is hereby authorized to charge any fees to Docket No. UNF-9058 A which might be required to effect the filing of this (these) document(s) to Account No. 50-3275. This certificate is being submitted in duplicate.

Respectfully submitted,

Joseph G. Curatolo

Customer No. 23575

Joseph G. Curatolo, Esq. (Reg. No. 28,837)
Curatolo Sidoti Co., L.P.A.
24500 Center Ridge Road, Suite 280
Cleveland, OH 44145
Telephone: 440.808.0011
Facsimile: 440.808.0657
Attorney for Applicants

8-19-2005

Date



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Joseph A. FERNANDO et al Docket No.: UNF-9058 A
Serial No: 09/560,469 Examiner: HIEN TRAN
Filed: April 28, 2000 Art Unit.: 1764
Title: Support Element For Fragile Structures Such As Catalytic Converters

**MAIL STOP RCE
COMMISSIONER FOR PATENTS
P. O. BOX 1450
ALEXANDRIA, VA 22313-1450**

Certificate of Express Mailing

I hereby certify that this correspondence is being deposited on the date shown below with the United States Postal Service as Express Mail - Label No. EV698630075US - "Express Mail Post Office to Addressee" in an envelope with sufficient postage addressed to: **MAIL STOP RCE, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.**

Linda K. Foster

(type or print name of person signing paper)

Linda K. Foster

(signature of person mailing paper)

8-19-2005

(date)

SUBMISSION UNDER 37 C.F.R. §1.114

To the Honorable Commissioner for Patents:

I. INTRODUCTORY COMMENTS

Applicants, through their undersigned attorney, hereby respectfully submit the present Request for Continued Examination of United States Serial No. 09/560,469.

The filing of the present Request for Continued Examination follows the June 30, 2005 mailing date by the Board of Patent Appeals and Interferences of its Decision on Appeal in this application.

Following a decision by the Board of Patent Appeals and Interferences, prosecution of a patent application may be reopened by the filing of a Request for Continued Examination under 37 C.F.R. §1.114. See 37 C.F.R. §1.198. The time for filing a notice of appeal to the U.S. Court of Appeals for the Federal Circuit or for commencing a civil action is two months from the date of the decision of the Board of Patent Appeals and Interferences. See 37 C.F.R. §1.304. The filing of a Request for Continued Examination after a decision by the Board of Patent Appeals and Interferences within the two month period for filing a notice of appeal or civil action also is timely. See MPEP §706.07(h)(XI). Therefore, Applicants respectfully submit that the present Request for Continued Examination is timely filed.

Amendments to Claims/Claims Listing begins on page 2 of this paper.

Remarks begin on page 11 of this paper.